

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

ANDY LEROY ELWOOD,

Civil No. 13-3645 (JRT/HB)

Plaintiff,

v.

CAROLYN COLVIN,

**ORDER ON REPORT
AND RECOMMENDATION**

Defendant.

Carol Louise Lewis, **CAROL LEWIS, ATTORNEY AT LAW**, 14 North Seventh Avenue, St. Cloud, MN 56303, for plaintiff,

Ana Voss, Ann Bildtsen, Assistant United States Attorneys, **OFFICE OF THE UNITED STATES ATTORNEY**, 300 South Fourth Street, Suite 600, Minneapolis, MN 55415, for defendant.

The above-entitled matter came before the Court upon the Report and Recommendation of the United States Magistrate Judge. No objections have been filed to the Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all the files, records and proceedings herein,

IT IS HEREBY ORDERED that:

1. The Report and Recommendation is **ADOPTED**;
2. Andy LeRoy Elwood's Motion for Summary Judgment [Doc. No. 13] is **DENIED**; and
3. The Commissioner's Motion for Summary Judgment [Doc. No. 20] is **GRANTED**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: January 14, 2015

s/John R. Tunheim

JOHN R. TUNHEIM

United States District Judge